

WASHINGTON COUNTY JUSTICE COURT, WASHINGTON COUNTY, UTAH 7/2/09

**NOTIFICATION OF ENHANCEMENT – MINOR ALCOHOL VIOLATIONS - 32a-12-209**

Defendant: \_\_\_\_\_, Case No. \_\_\_\_\_

**ELEMENTS**

32A-12-209(1): Unless specifically authorized by this title, it is unlawful for any minor to: (a) purchase any alcoholic beverage or product; (b) attempt to purchase any alcoholic beverage or product; (c) solicit another person to purchase any alcoholic beverage or product; (d) possess any alcoholic beverage or product; (e) consume any alcoholic beverage or product; or (f) have measurable blood, breath, or urine alcohol concentration in the minor's body.

32A-12-209(2): It is unlawful for the purpose of purchasing or otherwise obtaining an alcoholic beverage or product for a minor for: (a) a minor to misrepresent the minor's age; or (b) any other person to misrepresent the age of a minor.

32A-12-209(3): It is unlawful for a minor to possess or consume any alcoholic beverage while riding in a limousine or chartered bus.

32A-12-209(9): This section does not apply to a minor's consumption of an alcoholic beverage or product in accordance with this title: (a) for medicinal purposes if: (i) the minor is at least 18 years old; or (ii) the alcoholic beverage or product is furnished by: (A) the parent or guardian of the minor; or (B) the minor's physician or dentist; or (b) as part of a church's or religious organization's religious services.

32A-1-105(37): "Minor" means an individual under the age of 21 years.

**ENHANCEMENT / PENALTIES**

32A-12-104: Unless otherwise provided in this title, a person is guilty of a class B misdemeanor if that person violates chapter 12, title 32A.

32A-12-209(5)(a): When a minor who is at least 18 years old, but younger than 21 years old, is found by a court to have violated this section, except as provided in Section 32A-12-223 (minor's unlawful use of proof of age), the court hearing the case shall suspend the minor's driving privileges under Section 53-3-219.

53-3-219(1): The Utah Drivers License Division shall immediately suspend all driving privileges or, if the person has not been issued an operator license, deny the person's application for a license or learner's permit, of any person upon receipt of an order suspending driving privileges under Section 32A-12-209: (a) for one year on the first order suspending a person's driving privileges; (b) for two years on a second or subsequent order suspending a person's driving privileges.

32A-12-209(4)(a): If a minor is found by a court to have violated this section and the violation is the minor's second or subsequent violation of this section, the court shall order the minor to participate in an educational series as defined in Section 41-6a-501.

41-6a-501(1)(c): "Educational series" means an educational series obtained at a substance abuse program that is approved by the Board of Substance Abuse and Mental Health.

**Minimum / Maximum Sentence**

Class B Misdemeanor: 0 days to 6 months jail; \$0 to \$1,890 fines and surcharges, plus interest

*I understand the foregoing Notification of Enhancement as explained here and as orally explained to me.*

\_\_\_\_\_  
Date Defendant

Note: This form is not intended to cover violations or penalties for violations of Section 32A-12-223 (minor's unlawful use of proof of age).